IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

I.T.R No.85 of 1997
Date of decision:22.11.2006

The Commissioner of Income Tax, Ludhiana ...Petitioner

Versus

M/S Adarsh Steels Rolling Mills Mandi Gobindergarh

...Respondent

CORAM: HON'BLE MR.JUSTICE ADARSH KUMAR GOEL
HON'BLE MR.JUSTICE RAJESH BINDAL

Present: Mr.Akshay Bhan, Advocate for the revenue.

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JUDGMENT

Following question of law has been referred for opinion of this Court by the Income Tax Appellate Tribunal, Chandigarh Bench Chandgiarh arising out of its order dated 26.7.1996 passed in I.T.A.No.1774/Chandi/90, in respect of the assessment year 1989-90.

> "Whether, on the facts and in the circumstance of the case, the ITAT was right in allowing extra deduction u/s 32-AB in respect of machinery fabricated/assembled in factory premises of the assessee and not directly purchased from the market?

The above question has already been gone into by this Court in **Commissioner of Income Tax, Patiala Vs.M/S Hindustan Wire Product Ltd., Patiala , Rohtak,** ITR No.118 of 1996, decided on 20.9.2006 wherein question has been answered against the Revenue and in favour of the assessee.

In view of the above, the question referred is answered against the Revenue and in favour of the assessee.

The reference is disposed of.

(Adarsh Kumar Goel)
Judge

November 22,2006 **(Rajesh Bindal)**
Pka **Judge**